

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. CR 11-00357 WHA

v.

JOEL CUEVAS-REVUELTA,

Defendant.

**ORDER GRANTING IN PART
PETITION TO SURRENDER
DEFENSE CASE FILE**

On January 24, a petition from defendant Joel Cuevas-Revueltas was filed, seeking an order to his attorney Arturo Hernandez-Melendez to turn over the case file for this criminal matter. Defendant currently is in custody at the Taft Correctional Institution. Accordingly, Attorney Hernandez-Melendez was requested to respond to this petition, which he did so on February 4 (Dkt. Nos. 63–65).

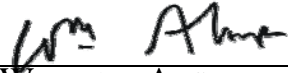
The essence of the response is as follows. Attorney Hernandez-Melendez is concerned that someone may be taking actions against defendant's interest. For support, he relies on his awareness that defendant does not speak or read English, and points to the fact that the petition was submitted in English without an accompanying certification of translation into Spanish for defendant. Indeed, at sentencing, a Spanish-language interpreter was present to help translate for defendant (Dkt. No. 59).

To the extent stated, the petition is **GRANTED IN PART**. Defendant may obtain his case file from Attorney Hernandez-Melendez, provided that one of the following conditions have been met: (1) defendant sends a signed, written request to Attorney Hernandez-Melendez to

1 release the case file to a particular family member or another attorney; or (2) defendant submits a
2 certification of translation that the petition was properly and fully translated into Spanish before
3 he signed the petition.

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5 **IT IS SO ORDERED.**

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7 Dated: February 5, 2014.


8 WILLIAM ALSUP
9 UNITED STATES DISTRICT JUDGE
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